

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH

MEMORANDUM ORDER

Plaintiff Joan Burns initiated this employment discrimination action on May 6, 2016, naming Sarah E. Edwards, among others, as a defendant. [ECF No. 1]. On August 11, 2016, defendant Edwards filed a motion to dismiss for failure to state a claim. [ECF No. 7]. In response to the motion to dismiss, plaintiff submitted an amended complaint that did not name Sarah E. Edwards as a defendant, did not mention Sarah E. Edwards in the body of the complaint, nor levied any claims against her. [ECF No. 11]. Accordingly, Sarah E. Edwards' motion to dismiss is dismissed as moot, as plaintiff has abandoned her claims against defendant Edwards. *See W. Run Student Hous. Associates, LLC v. Huntington Nat. Bank*, 712 F.3d 165, 171 (3d Cir. 2013) (An amended complaint “supersedes the original and renders it of no legal effect, unless the amended complaint specifically refers to or adopts the earlier pleading.”) (citations omitted); *BURNS v. BUTLER COUNTY REGISTER OF WILLS et al.*, 2:16-cv-00572-CRE (W.D.Pa. 2016) (docket indicating Defendant Sarah E. Edwards terminated as of September 9, 2016).

Accordingly, the following Order is entered:

AND NOW, this 12th day of September, 2016, it is hereby ORDERED that defendant

Sarah E. Edwards' motion to dismiss is dismissed without prejudice as moot.

BY THE COURT:

s/Cynthia Reed Eddy

United States Magistrate Judge

cc: Counsel of record via CM/ECF